

Ex. 36

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JARI MCPHERSON, JERALD)
SAMS, AND DANIEL MARTINEZ,)
)
 Plaintiffs,)
) CIVIL ACTION
VS.)
) NO.: 1:20-cv-01223-DAE
TEXAS DEPARTMENT OF PUBLIC)
SAFETY,)
)
 Defendant.)

REMOTE ORAL DEPOSITION OF

VIRGIL VERDUZCO

DECEMBER 9, 2022

REMOTE ORAL DEPOSITION OF VIRGIL VERDUZCO,
produced as a witness at the instance of the
PLAINTIFFS, and duly sworn, was taken in the
above-styled and numbered cause on December 9, 2022,
from 1:04 p.m. to 2:21 p.m., via Zoom, before Vanessa
J. Theisen, CSR in and for the State of Texas,
reported by machine shorthand, pursuant to the
Federal Rules of Civil Procedure and any provisions
stated on the record or attached hereto.

1 the context of training, what did Corporal Sams do as
2 a trainer specifically from -- let me ask a better
3 question.

4 In his con -- in the context of being a
5 trainer for the mounted troopers, do I understand
6 that this was a daily activity?

7 A. Yes, ma'am. They were training almost every
8 day.

9 We did have days where we would do
10 maintenance around the barn as far as, you know,
11 cutting the grass or clean the stalls, or, if it was
12 real muddy, we were not going to endanger the horses
13 to get hurt or ourselves, so we would just do
14 maintenance around the barn.

15 Q. In your experience was Trooper Sams highly
16 skilled in his work as an instructor and trainer?

17 A. Yes, ma'am. He had good knowledge, and
18 there was a lot of people that would seek his
19 knowledge.

20 Q. Was there anybody in 2017 who had superior
21 knowledge or skills with regarding -- with regard to
22 training the horses or instructing the mounted
23 troopers?

24 MR. HARRIS: Object to the form of the
25 question. You may answer.

1 A. Yes, ma'am. He was -- yes, he was.

2 Q. (BY MS. SCHULMAN) The question I asked was
3 was there anybody who was superior to his ability?

4 A. No, ma'am.

5 Q. All right. Let's get the whole question in
6 so that we have a clear record.

7 Was there anyone in the mounted patrol
8 unit, top to bottom, who had superior skills to those
9 of Corporal Sams with regard to training or
10 instruction, the horses or mounted troopers?

11 MR. HARRIS: Object to the form of the
12 question. You may answer.

13 A. No, ma'am.

14 MS. SCHULMAN: Hold on. I need to take
15 a quick break.

16 MR. HARRIS: All right. Off the record?

17 THE REPORTER: Yes, off the record at
18 1:30 p.m.

19 (Recess 1:30 p.m. to 1:35 p.m.)

20 THE REPORTER: Back on the record at
21 1:35.

22 MS. SCHULMAN: All right. Okay.
23 Vanessa, would you please read the last question and
24 answer for me.

25 THE REPORTER: "Let's get the whole

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|---|--|
| <p>46</p> <p>1 I, VIRGIL VERDUZCO, have read the foregoing 2 deposition and hereby affix my signature that same is 3 true and correct, except as noted above. 4 5 _____ 6 VIRGIL VERDUZCO 7 THE STATE OF _____) 8 COUNTY OF _____) 9 Before me, _____, on this day 10 personally appeared VIRGIL VERDUZCO, known to me (or 11 proved to me under oath or through _____) 12 (description of identity card or other document) to 13 be the person whose name is subscribed to the 14 foregoing instrument and acknowledged to me that he 15 executed the same for the purposes and consideration 16 therein expressed. 17 18 Given under my hand and seal of office, this 19 _____ day of _____, _____. 20 21 _____ 22 NOTARY PUBLIC IN AND FOR 23 THE STATE OF _____ 24 My commission expires: _____ 25 _____ No Changes Made _____ Amendment Sheet(s) Attached</p> | <p>48</p> <p>1 Rule 30(3) that the signature of the deponent: 2 _____XX_ was requested by the deponent or a 3 party before the completion of the deposition and 4 that the signature is to be before any notary public 5 and returned within 30 days from date of receipt of 6 the transcript. 7 If returned, the attached Changes and 8 Signature Page contains any changes and the reasons 9 therefore: 10 _____ was not requested by the deponent or 11 a party before the completion of the deposition. 12 I further certify that I am neither 13 counsel for, related to, nor employed by any of the 14 parties or attorneys in the action in which this 15 proceeding was taken, and further that I am not 16 financially or otherwise interested in the outcome of 17 the action. 18 Certified to by me on this, the 3rd day 19 of January, 2023. 20 21 _____ 22 VANESSA J. THEISEN, Texas CSR, RPR 23 Texas Cert No. 3238 24 Expiration Date: 10/31/23 25 Integrity Legal Support Solutions Firm Registration No. 528 9901 Brodie Ln., Ste. 160-400 Austin, Texas 78748 (512) 320-8690 www.integritylegal.support</p> |
| <p>47</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE WESTERN DISTRICT OF TEXAS 3 AUSTIN DIVISION 4 JARI MCPHERSON, JERALD) 5 SAMS, AND DANIEL MARTINEZ,) 6) 7 Plaintiffs,) 8) CIVIL ACTION 9 VS.) 10) NO.: 1:20-cv-01223-DAE 11 TEXAS DEPARTMENT OF PUBLIC) 12 SAFETY,) 13) 14 Defendant.) 15 REPORTER'S CERTIFICATION OF 16 THE REMOTE ORAL DEPOSITION OF 17 VIRGIL VERDUZCO 18 DECEMBER 9, 2022 19 20 I, Vanessa J. Theisen, a Certified 21 Shorthand Reporter in and for the State of Texas, 22 hereby certify to the following: 23 That the witness, VIRGIL VERDUZCO, was 24 duly sworn by the officer and that the transcript of 25 the oral deposition is a true record of the testimony given by the witness; That the original deposition was delivered to Mr. Drew Harris to obtain witness's signature. That a copy of this certificate was served on all parties and/or the witness shown herein on January 4th, 2023. I further certify that pursuant to FRCP</p> | |